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Proposed Attorney for Chapter 11 Debtor KONSTANTINO KOURIS

**E-FILED ON June 1, 2010**

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:	)	BK-S-10-16105-MKN
	)	
KONSTANTINO KOURIS,	)	Chapter 11
	)	
Chapter 11 Debtor.	)	
	)	Date of Hearing: <u>7/7/10</u>
	)	Time of Hearing: <u>9:30 a.m.</u>

**NOTICE OF MOTION FOR APPLICATION BY DEBTOR IN POSSESSION FOR  
AUTHORITY TO EMPLOY ATTORNEY**

**NOTICE IS HEREBY GIVEN** that the ExParte Application by Debtor in Possession for Authority to Employ Attorney was filed with the United States Bankruptcy Court for the District of Nevada on the 21<sup>st</sup> day of April, 2010, by proposed substituted attorney for the Debtor and an Errata to the foregoing Application was filed on 27<sup>th</sup> day of May, 2010.

**NOTICE IS FURTHER GIVEN** that any opposition to the Motion must be filed pursuant to Local Rule 9014(b)(1) and Local Rule 9014 (d)(1).

Local Rule 9014(b)(1): "If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court. You *must* also serve your written response on the person who sent you this notice. If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- The court may *refuse to allow you to speak* at the scheduled hearing; and
- The court may *rule against you* without formally calling the matter at the hearing."

1 Local Rule 9014 (d)(1): "Oppositions to a motion must be filed and service  
2 must be completed on the movant no later than 14 days after the motion is  
3 served except as provided by LR 30078(b) and LR 9006.

4 If the hearing has been set on shortened time, responses and replies will be  
5 due as forth in the order granting the request that the motion be heard on  
6 shortened time or as provided in LR 9006.

7 LR 9006(c) states: Where an order shortening time  
8 does not otherwise specify, any opposition must be  
9 filed no later than two (2) business days before the  
10 hearing, and any reply must be filed no later than  
11 one (1) business day before the hearing. Unless it  
12 otherwise provides, where an order shortening time  
13 is entered on less than three (3) business days'  
14 notice, a written opposition is not required.

15 **NOTICE IS FURTHER GIVEN** that the hearing on said Application will be held before  
16 the Honorable Mike K. Nakagawa, United States Bankruptcy Judge, in the Foley Federal  
17 Building, Courtroom 2, 300 Las Vegas Boulevard South, Las Vegas, Nevada 89101, on the 7<sup>th</sup>  
18 day of July, 2010, at the hour of 9:30 a.m., to hear and consider said motion.

19 DATED this 1<sup>st</sup> day of June, 2010.

20 JEFFREY A. COGAN, ESQ., LTD.

21 By /s/ Jeffrey A. Cogan, Esq.  
22 Jeffrey A. Cogan, Esq.  
23 Nevada Bar No. 4569  
24 3990 Vegas Drive  
25 Las Vegas, Nevada 89108  
26 Telephone: (702) 474-4220  
27 Proposed Substituted Attorney for  
28 Chapter 11 Debtor

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**CERTIFICATE OF SERVICE**

1. On June 1, 2010, I served the following document(s): **NOTICE OF MOTION FOR APPLICATION BY DEBTOR IN POSSESSION FOR AUTHORITY TO EMPLOY ATTORNEY; ERRATA TO EXPARTE APPLICATION BY DEBTOR IN POSSESSION FOR AUTHORITY TO EMPLOY ATTORNEY and EXPARTE APPLICATION BY DEBTOR IN POSSESSION FOR AUTHORITY TO EMPLOY ATTORNEY and Certificate of Service**

2. I served the above-named document(s) by the following means to the persons as listed below: *(Check all that apply)*

☒ **a. ECF System** *(you must attach the "Notice of Electronic Filing", or list all persons and addresses and attach additional paper if necessary)*

U.S. TRUSTEE - LV – 11 [USTPRegion17.lv.ecf@usdoj.gov](mailto:USTPRegion17.lv.ecf@usdoj.gov)

☐ **b. United States mail, Postage fully prepaid** *(List persons and addresses. Attach additional paper if necessary)*

☐ **c. Personal Service** *(List persons and addresses. Attach additional paper if necessary)*

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ **d. By direct email (as opposed to through the ECF System)**  
*(List persons and email addresses. Attach additional paper if necessary)*

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ **e. By fax transmission** (*List persons and fax numbers. Attach additional paper if necessary*)

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed on: June 1, 2010

Jeffrey A. Cogan, Esq.  
(Name of Declarant)

/s/ Jeffrey A. Cogan, Esq.  
(Signature of Declarant)